

B) REMARKS:**1. Introduction**

Claims 1-11 and are currently pending in this application. Claim 1 is independent. Certain amendments to claims 1-8 have been entered herein in response to the Examiner's rejections, as detailed hereinafter. Other amendments to the pending claims have also been made to clarify the scope of that which the Applicants regard as their invention, and are not meant to unduly restrict the scope of those recitations that existed prior to such amendments or limit the applicability of any equivalents thereto.

Claims 9-11 have been added herein. Since the Applicants have previously paid for 3 independent claims and 20 claims total, and since the application now contains only 1 independent claim and 11 claims in total, no fee is believed to be due for the addition of these claims.

No new subject matter has been added to this application by these amendments.

2. Rejection of Claims under 35 U.S.C. §112

In paragraphs 5 and 6 of the Office Action, the Examiner has rejected claims 1-8 under 35 U.S.C. §112, second paragraph, as "failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention." The Applicant has amended the claims in response to these rejections as follows:

- i. Claim 1 has been amended to recite "the host configuration protocol message" in place of "the dynamic host configuration protocol message."
- ii. Claim 1 has been amended to recite "the entry" in place of "the entries."
- iii. Claim 2 has been amended to recite "the host configuration protocol message" in place of "the host configuration protocol."
- iv. Claim 3 has been amended to recite "the address resolution protocol cache" in place of "the address resolution protocol."

Each of these amended recitations finds proper antecedent basis in the claims. Each of these corrections are necessitated by prior typographical error, and the scope of the claims should

be unaffected by these amendments. Accordingly, reconsideration and withdrawal of this rejection of claims 1-8 is respectfully requested.

3. Rejection of claims under 35 U.S.C. §103(a)

In paragraphs 7-24 of the Office Action, the Examiner has rejected original claims 1-8 under 35 U.S.C. §103(a). Original claims 1-4, 6 and 8 are asserted to be unpatentable over U.S. Patent No. 6,073,178 to Wong et al. (hereinafter ‘Wong’) in view of U.S. Patent Publication No. 20010019557 to Hrastar et al. (hereinafter ‘Hrastar’). Original claim 5 is asserted to be unpatentable over Wong and Hrastar in further view of U.S. Patent No. 6,396,845 to Sugita (hereinafter ‘Sugita’). Original claim 7 is asserted to be unpatentable over Wong and Hrastar in view of the Examiner’s Official Notice.

These rejections have each been overcome by the following amendments entered to the Applicant’s independent claim 1 herein, in which the following recitations have been entered:

(a) “storing a customer registration database that maintains ranges of network addresses for each of a plurality of available service networks, the network addresses for individual allocation to customers of the available service networks;”

(b) “receiving, from a customer using a network access device, a selection of a service network from the plurality of available service networks;”

(c) “the allocation based on the service network selected by the customer and a range allocated to that service network;”

(d) “creating an entry in an address resolution protocol cache that maps the network access device to the service network selected by the customer from the host configuration protocol message;” and

(e) restricting access of the network access device to only the service network selected by the customer, based on the entry in the address resolution protocol cache

Support for these recitations can be found, inter alia, in the Applicant’s Specification at:

a) the last paragraph commencing at the end of page 12 (line 365), and continuing to page 13 (line 390);

- (b) the paragraph that commences on page 5 (line 143), and continues to page 6 (line 158);
- (c) the last paragraph commencing at the end of page 8 (line 244) and continuing to page 9 (line 256);
- (d) the first full paragraph of page 17 (lines 502-520); and
- (e) the first full paragraph of page 17 (lines 502-520).

The Applicants have been mindful of the provisions of MPEP §608.01(o) in making these amendments.

The recitations above are neither taught nor suggested by any of the prior art of record, or by any combination of the teachings of the same. None of the references cited above, alone or in combination, teach or suggest applicants' method which enables multiple services or service providers to share the facilities of an access network infrastructure that provides physical connectivity to customers of the various services through a common access point, and which restricts customers to their selected service network while allowing individual network address to be allocated and reassigned dynamically (see Applicants' Summary of the Invention, page 2, line 33 to page 3, line 79).

Wong, Hrastar and Sugita are devoid of any suggestion of managing customers of many different service networks through a common access point, by maintaining network address ranges for each of a plurality of service network and restricting customer access to other than their subscribed service networks. Instead, Wong, Hrastar and Sugita seem to be concerned specifically throughout with the implementation of network communications through a single service provider, with continuing access thereafter to the other service networks or the internet. See, for example, FIG. 1, element 106, of Wong (and corresponding written descriptions), paragraph 0061 of Hrastar, and FIG. 1, element 2a of Sugita (and corresponding written descriptions). In addition, Hrastar merely provides two separate paths (CATV and telephone line) for a customer to access the same service provider (see, e.g., the Abstract of Hrastar).

The remaining prior art made of record is further devoid of the teachings of elements (a) - (e) above. Although U.S. Patent No. 6,603,758 to Schmuelling et al. does teach supporting

multiple internet service providers on a single network, it does not teach the manner of customer network address allocation as now recited.

For this same reason, the Applicants strongly disagree with any assertion that the Official Notice offered by the Examiner can be used to obviate all the recitations of Applicants' amended claims.

Therefore, reconsideration and withdrawal of the rejections of claims 1 is respectfully requested. Reconsideration and withdrawal of the rejections of remaining claims 2-8 is likewise respectfully requested based on their ultimate dependency on independent claim 1.

4. Addition of claims 9-11

Dependent claims 9-11 have been added to further clarify that which the Applicants regard as their invention, and are allowable for the same reasons stated in the section immediately above via their ultimate dependence on claim 1. Support for claim 9 can be found in the Applicants' Specification, inter alia, at page 17, lines 515-517. Support for claim 10 can be found in the Applicants' Specification, inter alia, at page 18, lines 535-537. Support for claim 11 can be found in the Applicants' Specification, inter alia, at page 5, line 143 to page 6, line 158.

5. Conclusion

This amendment is responsive to each issue raised in the Office Action dated June 4, 2004. All objections and rejections of pending claims 1- 8 have been overcome above. The Applicant therefore respectfully requests allowance of each of the pending claims 1-11 as amended herein, and issuance of the present application.

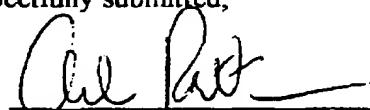
Please note that an APPOINTMENT OF NEW ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS has been filed with this Response. Please recognize the representation of, inter alia, the undersigned attorney and direct all correspondence to Mr. S.H. Dworetsky, AT&T Corp., room 2A-207, One AT&T Way, Bedminster, NJ 07921 as stated therein. The Examiner is invited to contact the undersigned attorney by telephone if it will advance the prosecution of this application.

In the event that a further extension of time is required in addition to that requested previously herein, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time, or credit any overpayment, to the below-signed practitioner's deposit account number: 502396.

Dated: September 7, 2004

Respectfully submitted,

By:



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